

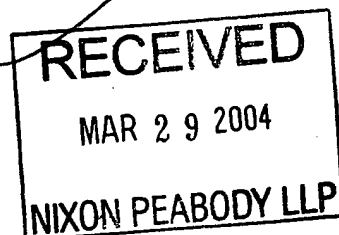


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/627,588	07/28/2003	Laurence C. Eisenlohr	003252-053311-C

David S. Resnick, Esq.
 NIXON PEABODY LLP
 101 Federal Street
 Boston, MA 02110



CONFIRMATION NO. 2965

FORMALITIES LETTER



OC000000012199671

Date Mailed: 03/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/14/2004 MBLANCO 00000006 10627588

01 FC:2001
 02 FC:2051

385.00 OP
 65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Practitioner's Docket No. 003252-53311-C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eisenlohr et al.
Application No.: 10/627,588 Group No.: 1645
Filed: 07/25/2003 Examiner: To be assigned
For: NOVEL METHOD FOR ASSESSING RECODING IN VITRO AND IN VIVO

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Certificate of Mailing (1 pg.);
2. Copy of Notice to file Missing Parts of Non-Provisional Application (2 pp.);
3. Transmittal Form (2 pp.);
4. Amendment under C.F.R. §1.825 (1 pg.);
5. Submission of "Sequence Listing," Computer Readable Copy, and/or Amendment Pertaining Thereto (2 pp.);
6. Paper Copy of Sequence Listing (3 pp.);
7. Computer readable copy of Sequence Listing (1 disk);
8. Change of Attorney's Address (1 pg.);
9. Fee Transmittal (1 pg.);
10. Copy of the Request to Correct Filing Receipt Submitted 4/22/04 (1 pg.);
11. Check - \$450.00; and
12. Return Receipt Postcard.

is on the date shown below being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

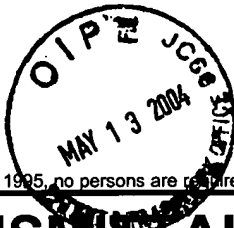
Date: May 11, 2004

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.


Signature

Linda M. Ginsberg
(type or print name of person certifying)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 450.00

Complete if Known

Application Number	10/627,588
Filing Date	July 25, 2003
First Named Inventor	Laurence C. Eisenlohr
Examiner Name	To be assigned
Art Unit	1645
Attorney Docket No.	003252-53311-C

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-0850
Deposit Account Name: Nixon Peabody LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					385.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 65.00

SUBMITTED BY

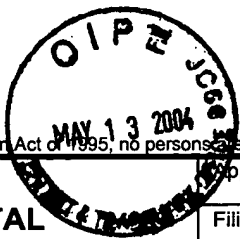
(Complete if applicable)

Name (Print/Type)	David S. Resnick/Leena H. Karttunen	Registration No. (Attorney/Agent)	34,235/10.9(b)	Telephone	617-345-6057
Signature				Date	May 11, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/627,588
	Filing Date	July 25, 2003
	First Named Inventor	Laurence C. Eisenlohr
	Art Unit	1645
	Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number	003252-53311-C

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	See the attached additional enclosures
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to the Nixon Peabody LLP Deposit Account No. 50-0850.	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Resnick (34,235)/Leena H. Karttunen 10.9(b) Nixon Peabody LLP, 100 Summer Street, Boston, MA 02110
Signature	
Date	May 11, 2004

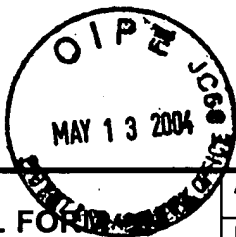
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Washington, DC 20231 on this date:

Typed or printed name	Linda M. Ginsberg	Date	05/11/2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**TRANSMITTAL FORM
(PTO/SB/21)**

ADDITIONAL ENCLOSURES

Application Number	10/627,588
Filing Date	July 25, 2003
First Named Inventor	Laurence C. Eisenlohr
Art Unit	1645
Examiner Name	To be assigned
Attorney Docket Number	003252-53311-C

Certificate of Mailing

Copy of Notice to File Missing Parts

Amendment under CFR 1.825

Submission of Sequence Listing

Paper Copy of Sequence Listing

Computer readable form of sequence listing

Copy of the Request to Correct Filing Receipt Submitted 4/22/04

Check \$450.00

Return Receipt Postcard



Practitioner's Docket No. 003252-53311-C

PATENT

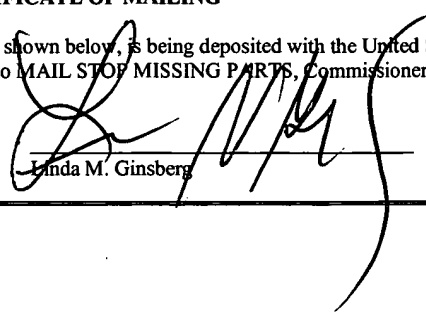
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eisenlohr et al.
Application No.: 10/627,588 Group No.: 1645
Filed: 07/25/2003 Examiner: To be assigned
For: NOVEL METHOD FOR ASSESSING RECODING IN VITRO AND IN VIVO

CERTIFICATE OF MAILING

I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to MAIL STOP MISSING PARTS, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Date: May 11, 2004


Linda M. Ginsberg

MAIL STOP MISSING PARTS
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER C.F.R. § 1.825

Applicants enclose herewith a computer readable form and a paper copy of the "Sequence Listing" and a statement that the content of the paper and computer readable copies are the same.

Please insert the attached sequence listing into the application.

The Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 50-0850.

Date: May 11, 2004

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)
Leena H. Karttunen (37 CFR 10.9(b))
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110
Tel. (617) 345-6057



Practitioner's Docket No. 003252-53311-C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eisenlohr et al.
Application No.: 10/627,588 Group No.: To be assigned
Filed: 07/25/2003 Examiner: To be assigned
For: NOVEL METHOD FOR ASSESSING RECODING IN VITRO AND IN VIVO

**Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE**

1. The present submission is being filed in response to Notice to File Missing Parts mailed March 26, 2004 in connection with the above-entitled Utility Patent Application.

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Leena H. Karttunen, state the following:

ITEMS BEING SUBMITTED

3. Submitted herewith is/are:
 - a. Sequence Listing(s) for the nucleotide and/or amino acid sequence(s) in this application. Each Sequence Listing is assigned a separate identifier as required in 37 C.F.R. § 1.821(c) and 37 C.F.R. §§ 1.822 and 1.823.
 - b. A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME AND THAT PAPERS
SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

In re application of: Eisenlohr et al.

Application No.: 10/627,588

Filed: 07/25/2003

For:

Group No.: To be assigned

Examiner: To be assigned

NOVEL METHOD FOR ASSESSING RECODING IN VITRO AND IN VIVO

- a. Each computer readable form submitted in this application, including those forms requested to be transferred from Applicant's other application where applicable, is the same as the "Sequence Listing" to which it is indicated to relate.
- b. All papers accompanying this submission, or for which a request for transfer from Applicants' other application, introduce no new matter.

STATUS

5. Applicant is a small entity.

EXTENSION OF TERM

6. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

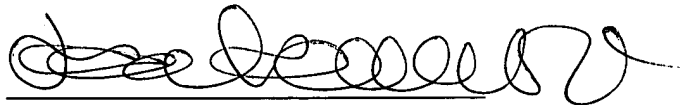
FEE DEFICIENCY

If any additional extension and/or fee is required, charge Nixon Peabody Deposit Account No. 50-0850.

SIGNATURE(S)

Date: 5/11/2004

Respectfully submitted,



Leena H. Karttunen (37 CFR §10.9(b))

NIXON PEABODY LLP

100 Summer Street

Boston, MA 02110

Tel. (617) 345-6057/1367

Fax (617) 345-1300

Practitioner's Docket No. 00382-53311-C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eisenlohr et al.

Application No.: 10/627,588

Filed: July 25, 2003

For: **NOVEL METHOD FOR ASSESSING RECODING IN VITRO AND IN VIVO**

Group No.: To be assigned

Examiner: To be assigned

ATTN OF FAX NO.: 703-746-9195

REQUEST FOR CORRECTED FILING RECEIPT (SECOND REQUEST)

Dear Sirs,

Please note that we previously sent this request on August 18, 2003.

1. Applicants respectfully request that the FILING DATE of the above-identified patent application be corrected. Attached is a copy of the Filing Receipt and the Return Receipt Postcard which indicates an erroneous filing date for the above-referenced application for which issuance of a corrected filing date of July 25, 2003 is respectfully requested.
2. There is an error with respect to the filing date.
3. Copy of the Express Mail Label is attached herewith.
4. Applicants believe no fee is due. However, for any fee deficiencies associated with this filing, please charge the Nixon Peabody LLP Deposit Account No. 50-0850.

Error in

1. Filed: July 28, 2003

Date: 4/20/2004

Correct data

1. Filed: July 25, 2003

David S. Resnick (34,235)
Leena H. Karttunen (Under 37 CFR §10.9(b))
Nixon Peabody LLP
101 Federal Street
Boston, MA 02110
617-345-6054
Customer No. 26248

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

[X] facsimile transmitted to the Patent and Trademark Office, (703) 746- 9195.

Date: ~~April 15, 2004~~

April 15, 2004
April 22, 2004 (MCK)

Signature

Melissa Kruggel

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.